

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER
COOPERATIVE, INC.,¹

Debtor.

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER
COOPERATIVE, INC., *et al.*,²

Plaintiffs,

v.

ELECTRIC RELIABILITY COUNCIL OF
TEXAS, INC., *et al.*,³

Defendants.

Adv. Proc. No. 21-03863 (DRJ)

**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.'S NOTICE OF COMPLIANCE
WITH ORDER DE-DESIGNATING CERTAIN INFORMATION**

[Dkt. No. 429]

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's proposed claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

² The Plaintiff-Intervenors in this Adversary Proceeding are: the Official Committee of Unsecured Creditors, Mid-South Electric Cooperative Association; Denton County Electric Cooperative, Inc., d/b/a CoServ Electric; United Electric Cooperative Services, Inc., d/b/a United Cooperative Services; Tri-County Electric Cooperative, Inc.; Bartlett Electric Cooperative, Inc.; Comanche County Electric Cooperative Association; Cooke County Electric Cooperative Association, Inc. d/b/a PenTex Energy; Hamilton County Electric Cooperative Association; Heart of Texas Electric Cooperative, Inc.; J-A-C Electric Cooperative, Inc.; Navasota Valley Electric Cooperative, Inc.; and Wise Electric Cooperative, Inc.

³ The Defendant-Intervenors in this Adversary Proceeding are: Calpine Corporation; Tenaska Power Services Co.; NRG Energy, Inc.; ENGIE Energy Marketing NA, Inc.; Talen Energy Supply, LLC; Golden Spread Electric Cooperative, Inc.; South Texas Electric Cooperative; and NextEra Energy Marketing, LLC.

In accordance with the Court's Order De-Designating Certain Information (Dkt. No. 429), Electric Reliability Council of Texas, Inc. (ERCOT) re-files the following documents, which were previously filed under seal, publicly:

| EXHIBITS TO ERCOT'S MOTION FOR PARTIAL SUMMARY JUDGMENT (DKT. NO. 279) | |
|---|---|
| Exhibit No. | Document Description |
| Ex. 5 | Emergency Order of the PUCT Affecting ERCOT Market Prices (Karnei Dep. Ex. 13) |
| Ex. 6 | 11/18/21 Karnei Deposition Excerpt |
| Ex. 7 | ERCOT Expectations Regarding Exit EEA3 and PUC Emergency Orders Affecting Market Prices (Walker Dep. Ex. 124) |
| Ex. 8 | 11/30/2021 Walker Deposition Excerpt |
| Ex. 9 | Dean Thrall and Mark Pavelka conversation excerpt (Thrall Dep. Ex. 57) |
| Ex. 10 | 11/5/21 Thrall Deposition Excerpt |
| Ex. 12 | 11/30/21 Kueker Deposition Excerpt |
| Ex. 14 | Ryan Evans email re ERCOT Shortpay Notification concerning Brazos (Karnei Dep. Ex. 35) |
| Ex. 15 | Clifton Karnei email re ERCOT Notice of Force Majeure Event 2/25/21 (Karnei Dep. Ex. 33) |
| Ex. 17 | PRS Motion to Recommend Approval of NPRR1081 as Submitted Vote Result *As of 6/10* (Bivens Dep. Ex. 206) |
| Ex. 18 | PRS Motion to Recommend Approval of NPRR1081 as Submitted Vote Result *As of 6/23* (Bivens Dep. Ex. 207) |
| Ex. 19 | 11/17/21 Bivens Deposition Excerpt |
| Ex. 20 | 12/2/21 D'Andrea Deposition Excerpt |
| Ex. 21 | 11/11/21 Magness Deposition Excerpt |
| Ex. 24 | 11/19/21 Parakkuth Deposition Excerpt |
| Ex. 25 | Conversation excerpt between Daniel Kueker and Dean Thrall (Kueker Dep. Ex. 68) |
| Ex. 26 | 2/13/21 Aces Power Marketing DA ERCOT Nodal Awards Report (Kueker Dep. Ex. 42) |
| Ex. 27 | 2/15 ACES Power Marketing (Kueker Dep. Ex. 44) |
| Ex. 28 | 3/3/20 ACES memo to Brazos re "Unhedged Bidding Strategy" (Clevenger Dep. Ex. 125) |

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| Ex. 29 | 11/16/21 Clevenger Deposition Excerpt |
| Ex. 30 | 11/5/21 Ogelman Deposition Excerpt |
| Ex. 31 | 2/15/21 Email re “Emergency Order of PUC Affecting ERCOT Market Prices” (Walker Dep. Ex. 123) |
| EXHIBITS TO ERCOT’S RESPONSE TO THE UCC’S MOTION FOR PARTIAL SUMMARY JUDGMENT (DKT. NO. 320) | |
| Exhibit No. | Document Description |
| Ex. A | 11/19/21 Karnei Deposition Excerpt |
| Ex. B | 11/12/21 Clevenger Deposition Excerpt |
| Ex. C | 11/18/21 Karnei Deposition Excerpt |
| Ex. D | 11/30/21 Kueker Deposition Excerpt |
| EXHIBITS TO ERCOT’S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT (DKT. NO. 326) | |
| Exhibit No. | Document Description |
| Ex. 1 | 11/18/21 Karnei Deposition Excerpt |
| Ex. 3 | 11/11/21 Magness Deposition Excerpt |
| Ex. 4 | 11/17/21 Bivens Deposition Excerpt |
| Ex. 5 | 12/1/21 Maggio Deposition Excerpt |
| Ex. 7 | 11/19/21 Karnei Deposition Excerpt |
| EXHIBITS TO ERCOT’S RESPONSE TO DEBTOR’S MOTION FOR PARTIAL SUMMARY JUDGMENT (DKT. NO. 336) | |
| Exhibit No. | Document Description |
| Ex. 1 | 1/18/22 Siddiqi Deposition Excerpt Including NPRR Comments to ORDC Reversal Mitigation Enhancements |
| Ex. 6 | 11/17/21 Bivens Deposition Excerpt |
| Ex. 7 | 11/18/21 Jones Deposition Excerpt |
| Ex. 9 | 11/30/21 Walker Deposition Excerpt |
| Ex. 10 | 12/2/21 D’Andrea Deposition Excerpt |

Dated: February 19, 2022

Respectfully submitted,

MUNSCH HARDT KOPF & HARR, P.C.

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**COUNSEL FOR ELECTRIC RELIABILITY
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CERTIFICATE OF SERVICE

I certify that on February 19, 2022, I caused a copy of the foregoing document to be served via CM/ECF on all counsel of record in this matter.

/s/ Jamil N. Alibhai
Jamil N. Alibhai